

REMARKS/ARGUMENTS

The following remarks are in response to the Official Action mailed April 27, 1006.

As an initial matter, Applicant acknowledges with appreciation that the Examiner has deemed that claims 3, 4, 6 and 7 are allowed.

Claim is rejected under 35 U.S.C. § 103 (a) as being unpatentable over U.S. Patent No. 5,886,409 to *Ishino, et al.*, in view of U.S. Patent No. 5,404,637 to *Kawakami*. In response to this rejection, Applicant has cancelled claim 1 so as to place the present application in condition for allowance. Applicant reserves the right to file claim 1 of the original application as claim 1 is only being cancelled to expedite the allowance of the present application.

The cancellation of claim 1 also renders the objection to the informality previously included in claim 1 as moot. Claims 8-12 are also cancelled.

Applicant thus asserts that the present application is in condition for allowance.

In view of the above, each of the presently pending claims in this application is believed to be in immediate condition for allowance. Accordingly, the Examiner is respectfully requested to withdraw the outstanding rejection of the claims and to pass this application to issue.

If, however, for any reason the Examiner does not believe that such action can be taken at this time, it is respectfully requested that he/she telephone applicant's attorney at (908) 654-5000 in order to overcome any additional objections which he might have.

Application No.: 10/728,306

Docket No.: TESSERA 3.0-241 DIV

If there are any additional charges in connection with this requested amendment, the Examiner is authorized to charge Deposit Account No. 12-1095 therefor.

Dated: August 28, 2006

Respectfully submitted,

By 

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